

## Village of Roaming Shores

November 19, 2019

The meeting was called to order by Mayor Jennie D'Amicone. Roll Call was taken and the following members were present : Bob Cook, Duane Helms, Marlene Hocevar, Ed Koziol, Chris Plickert and Mark Reighard. Also present were Solicitor Kyle Smith, Administrator Carl Reinke and Clerk-Treasurer Leeann Moses.

MINUTES TO THE PREVIOUS MEETING : A motion was made by Duane Helms, seconded by Chris Plickert, to approve the minutes of the October 15, 2019 and November 9, 2019, meetings. The motion passed with all in favor.

TREASURER'S REPORT : Clerk-Treasurer Leeann Moses gave an explanation of the financial report noting the income, expense and month end balances of the various funds at the meeting on November 9<sup>th</sup> but offered to answer any question that anyone may have.

VISITOR'S COMMENTS : *John Ball* stated that at the last meeting the question was asked what is the status of the sale of our utility system and the response was nothing at this time. The Utility Superintendent left due to the 15% contribution to healthcare, the omission to renew the water operations levy and now an ordinance to eliminate the available for use and contiguous lots charges with the loss of \$215,000. Is this to make our utility a liability rather than an asset? He asked how many councilmembers have to pay the contiguous lot fee but pay their real estate taxes which have levies on that does not apply to their household. Mr. Ball ending by asking Councilman Plickert how is all of this going to affect those on a fixed income if the rates for homes increases to cover the loss of income. *Bruce Bower* asked Solicitor Smith about a conflict of interest for members on council in regard to the elimination the available for use charges. Solicitor Smith explained that he researched the matter and could not find a conflict of interest and went on to explain the procedure for a referendum. *Dave Emick* noted that he paid the utility bill faithfully on his lot for many years before his home was built and he feels that eliminating the charge on vacant lots is unjust. *Solicitor Smith* gave an explanation on the procedure of passing ordinances, and gave a brief summary of case law involving available for use charges for the Village. If the referendum procedure in started and taken to the board of elections with the required votes, it will be considered at the next general election and the ordinance would not go in effect until the outcome of the election is known. *John Ball* submitted a request for public records to the Clerk-Treasurer has had not received anything since she is awaiting advice from the Solicitor who replied that the information requested (if all members of council pay their available for use/contiguous charges) is not public record. *Barb Carlson* asked is the Utility operating at a profit. If so, perhaps the rates should be reduced. It doesn't make any sense to give up money that is generated from the available for use charges, a carryover balance is necessary. *Terri Freeland* asked what has to be done to start the referendum. *Nothing needs to begin until the Ordinance is passed.* *Glenn Puckett* is a new lot owner who acquired two additional lots when he purchased one. He just received water/sewer bills for all the lots with not a drop of water being used and it seems crazy to him. He also heard rumors that the water/sewer funds are being used to pay bills for the Police department. Prodded by Councilman Plickert Clerk-Treasurer Moses explained that in prior years she had received notices that money needs to be transferred to the health reimbursement account to cover the deductible for employees. No invoice was received, which had been asked for every month, and money was transferred to cover this expense. The situation has been corrected and amended with the receipt of invoices showing which department should be charged. *Dan Hirz* has two lots and built across the street and had asked Council to allow him to tap into those lots and was refused. Vacant lot owners do not get a vote and this action is unfair. *Tom Graham* noted that he lives on a small lot with neighbors on both sides, and would love to buy either lot and gladly pay the available for use charges that would come with that lot. *Dan Jordan* asked how many members on council have available for use/contiguous lots. *Four members do.* *Mark Reighard* asked where the money for available for use charges go? *In the water and sewer revenue accounts collectively.*

MAYOR'S REPORT : *There was not one at this time.*

SOLICITOR'S REPORT : Solicitor Smith reported that he has been very busy with the available for use charge issue, and that he just sent out an email to all members of Council and the Mayor regarding a new program that the State Auditor's office is implementing next year which will grade municipalities on conducting open meetings, compliances, and public records. Stars will be awarded to the Village for meeting these requirements. *Marlene Hocevar* often sees after a council meeting 3 or more councilmember gathered around talking and this is a concern of hers since it could constitute a meeting.

ROME ROCK ASSOCIATION LIASON : *Cheryl Fain* reported on the recent actions and discussion held at the recent Rome Rock Association meeting.

POLICE CHIEF'S REPORT : Chief Roskos provided a monthly report for October showing the hours covered , calls the department responded to and any arrests or citations. He thanked everyone for their support in passing the Police Levy at the recent election.

COMMITTEE REPORTS : *Planning/Zoning* – Marlene Hocevar stated that the next meeting will be on Wednesday, December 4<sup>th</sup> at 7:00 PM. *Finance/Audit* – the committee met to approve the bills with the exception of one which is for reimbursement for money paid to the Village for restoration. Duane Helms asked if the resident would come before Council to explain his request. Lake Dam/Stormwater – Duane Helms noted that the committee met and discussed hydro power and repairs that need to be completed on the dam/spillway area. *Safety* – met prior to the meeting which the Chief summed in his monthly report. SCAD – Ed Koziol reported that SCAD responded to 12 calls within the Village last month, 104 YTD. The annual membership drive is underway. *Utility* – Bob Cook added that he distributed minutes from the recent meeting and the committee has made two recommendations to Council ; one that if Council determines to do away with the available for use charge it must come up with a plan to make up for the loss of income and the to leave the available for use charge in place and amend the existing ordinance to make the utilities available.

VILLAGE ADMININISTRATOR'S REPORT : A written report was submitted by Administrator Reinke highlighting projects underway, pending and planned for the future.

OLD BUSINESS : *There was none at this time.*

NEW BUSINESS : The Mayor asked that everyone review the Public Records Policy so that it can be passed. (2) The Mayor recommends adding Rory Marshall to the Lake Dam/Stormwater committee and Chris Plickert would like to see Don Tredent be added to the Personnel committee.

ORDINANCE 749-11-19 : *Temporary Appropriations for 2020 (1<sup>st</sup>). It was read for the first reading.*

ORDINANCE 752-11-19 : *Repeal Codified Ordinance 905.08 and 905.10 and Eliminating Available for Use Charges (1<sup>st</sup>). It was read for the first reading.*

ANY OTHER COUNCIL BUSINESS : *None at this time.*

VISITOR'S COMMENTS : *John Ball* asked if the Village is ready to plow snow this year. *Yes, we are, added Administrator Reinke.* He also asked who is monitoring the lake drawdown since ODNR recommends only lowering it a foot per week. *Bruce Bower* spoke about the Ethics commission from the State of Ohio, which lists the most common conflicts of interest. He respectfully disagreed with the Solicitor's opinion. *Dan Jordan* asked for the references regarding Ethics and asked who does regulate the dam valve. *The Mayor does.* He added that if the lake is not lowered sufficiently the weeds would not die. Perhaps the lake lowering should begin after Labor Day to avoid costly chemicals to treat the weeds.

PAYMENT OF THE BILLS : A motion was made by Marlene Hocevar, seconded by Duane Helms to approve payment of the following bills : Carl Reinke - \$67.86, Ohio Dept of Job & Family Services - \$61.07, Gazette Printing - \$55.69, Andover Bank - \$920.47, Leeann Moses - \$211.43, Ohio Labor Law Poster - \$76.00, Shoreside Plumbing - \$344.00, Action Door - \$150.00, Life Safety Systems - \$425.00, Fleming Lawn Care - \$500.00, Cicogna Sign - \$2,935.00, Nelson

Sand & Gravel – 601.81, Western Reserve Electric - \$4,196.96, Smolen Engineering - \$5,500.00, Brobst Tree Service - \$5, 512.50, Andover Bank - \$1,542.76, Verizon - \$237.27, Comdoc - \$216.80, Will Roskos - \$102.39, Andover Bank - \$15,941.41. The motion passed with all in favor.

ADJOURNMENT – A motion was made by Bob Cook, seconded b Duane Helms to adjourn the meeting. The motion passed with all in favor and the Mayor adjourned the meeting at 8:30 PM.

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MAYOR

CLERK-TREASURER

SEAL